

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AMERICAN GENERAL ASSURANCE	)	
COMPANY,	)	
	)	2:05-cv-0663-GEB-GGH
Plaintiff,	)	
	)	<u>ORDER RE: SETTLEMENT</u>
v.	)	<u>AND DISPOSITION</u>
	)	
GRACIELA M. LOPEZ,	)	
	)	
Defendant.	)	
_____	)	

On July 27, 2006, Plaintiff filed a Notice of Settlement in which it states "[the parties have] settled their claims against each other . . . ." In accordance with Local Rule 16-160(b), a dispositional document shall be filed no later than August 16, 2006. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See L.R. 16-160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

The pretrial conference scheduled for August 7, 2006, is rescheduled to commence at 1:30 p.m. on September 18, 2006, in the event no dispositional document is filed, or if this action is not

1 otherwise dismissed.<sup>1</sup> Further, a joint pretrial statement shall be  
2 filed seven days prior to the conference. The trial date remains  
3 unchanged.

4 IT IS SO ORDERED.

5 Dated: July 28, 2006

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7 /s/ Garland E. Burrell, Jr.  
8 GARLAND E. BURRELL, JR.  
9 United States District Judge  
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26 <sup>1</sup> The pretrial conference is scheduled because the mere  
27 representation that an action has been settled does not justify  
28 removal of the action from a district court's trial docket. Cf.  
Callie v. Near, 829 F.2d 888, 890 (9th Cir. 1987) (indicating  
that a representation that claims have been settled does not  
necessarily establish the existence of a binding settlement  
agreement).